



EM 016026796 US

ABX-PHRI CON

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Abraham Pinter, et al.
Application No. : 10/628,004
Confirmation No. : 3975
Filed : July 25, 2003
Title : USE OF TRANSGENIC MICE FOR THE
EFFICIENT ISOLATION OF NOVEL HUMAN
MONOCLONAL ANTIBODIES WITH
NEUTRALIZING ACTIVITY AGAINST PRIMARY
HIV-1 STRAINS AND NOVEL HIV-1
NEUTRALIZING ANTIBODIES
Group Art Unit : 1648
Examiner : Myron G. Hill

New York, New York 10036
June 14, 2007

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

STATEMENT VERIFYING ACCEPTANCE OF DEPOSITS AND UNRESTRICTED
ACCESS TO DEPOSITED BIOLOGICAL MATERIAL UPON GRANT OF PATENT

Sir:

I hereby state that the hybridoma cell line listed below was deposited under the terms of the Budapest Treaty at the American Type Culture Collection (“ATCC”), 10801 University Blvd., Manassas, Virginia 20110-2209, on February 2, 2001. In accordance with

MPEP § 2409, the deposit was accepted by the ATCC and the above cell line was assigned the following deposit number:

Hybridoma 45D1/B7

PTA-3002

A copy of the ATCC deposit certificate is enclosed herewith.

In accordance with 37 C.F.R. § 1.808, I further state that all restrictions imposed by the depositor on the availability to the public of the deposited material will be irrevocably removed upon the granting of a patent in the above-identified application.

Respectfully submitted,

Jane T. Gunnison

Jane T. Gunnison (Reg. No. 38,479)
Attorney for Applicants
c/o FISH & NEAVE IP GROUP
ROPES & GRAY LLP
Customer No. 1473
1211 Avenue of the Americas
New York, New York 10036
Tel.: (212) 596-9000
Fax: (212) 596-9090

10801 University Blvd • Manassas, VA 20110-2209 • Telephone: 703-365-2700 • FAX: 703-365-2745

BUDAPEST TREATY ON THE INTERNATIONAL RECOGNITION OF
THE DEPOSIT OF MICROORGANISMS FOR THE PURPOSES OF PATENT PROCEDURE

INTERNATIONAL FORM

RECEIPT IN THE CASE OF AN ORIGINAL DEPOSIT ISSUED PURSUANT TO RULE 7.3
AND VIABILITY STATEMENT ISSUED PURSUANT TO RULE 10.2

To: (Name and Address of Depositor or Attorney)

Public Health Research Institute
Attn: Abraham Pinter, Ph.D.
455 First Avenue
New York, NY 10016

Deposited on Behalf of: Abgenix, Inc. and Public Health Research Institute

Identification Reference by Depositor:

Mouse hybridoma: 35D10/D2
Mouse hybridoma: 45D1/B7
Mouse hybridoma: 58E1/B3
Mouse hybridoma: 64B9/A6
Mouse hybridoma: 43A3/E4
Mouse hybridoma: 40H2/C7
Mouse hybridoma: 43C7/B9
Mouse hybridoma: 46E3/E6
Mouse hybridoma: Abx 8.27.3

Patent Deposit Designation

PTA-3001
PTA-3002
PTA-3003
PTA-3004
PTA-3005
PTA-3006
PTA-3007
PTA-3008
PTA-3009

The deposits were accompanied by: a scientific description, a proposed taxonomic description indicated above. The deposits were received February 2, 2001 by this International Depository Authority and have been accepted.

AT YOUR REQUEST: We will inform you of requests for the strains for 30 years.

The strains will be made available if a patent office signatory to the Budapest Treaty certifies one's right to receive, or if a U.S. Patent is issued citing the strains, and ATCC is instructed by the United States Patent & Trademark Office or the depositor to release said strains.

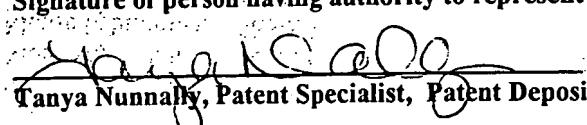
If the cultures should die or be destroyed during the effective term of the deposit, it shall be your responsibility to replace them with living cultures of the same.

The strains will be maintained for a period of at least 30 years from date of deposit, or five years after the most recent request for a sample, whichever is longer. The United States and many other countries are signatory to the Budapest Treaty.

The viability of the cultures cited above was tested February 8, 2001. On that date, the cultures were viable.

International Depository Authority: American Type Culture Collection, Manassas, VA 20110-2209 USA.

Signature of person having authority to represent ATCC:


Tanya Nunnally, Patent Specialist, Patent Depository

Date: February 13, 2001

cc: James F. Haley Jr. & Jane T. Gunnison
(Ref: Docket or Case No.: ABX-PHRI PROV2)